

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

AMERICAN FEDERATION OF  
TEACHERS, AFL-CIO; UNITED  
FEDERATION OF TEACHERS; SERVICE  
EMPLOYEES INTERNATIONAL UNION,  
AFL-CIO; SEIU HEALTHCARE  
MINNESOTA & IOWA; SEIU  
COMMITTEE OF INTERNS AND  
RESIDENTS; UNITED FOOD AND  
COMMERCIAL WORKERS  
INTERNATIONAL UNION, AFL-CIO;  
UFCW LOCAL 135; INTERNATIONAL  
ASSOCIATION OF MACHINISTS AND  
AEROSPACE WORKERS, AFL-CIO; IAM  
DISTRICT 160; AMERICAN  
FEDERATION OF STATE, COUNTY &  
MUNICIPAL EMPLOYEES, AFL-CIO;  
UNITED NURSES ASSOCIATIONS OF  
CALIFORNIA/UNION OF HEALTH CARE  
PROFESSIONALS; AMERICAN  
FEDERATION OF GOVERNMENT  
EMPLOYEES, AFL-CIO; and AMERICAN  
FEDERATION OF LABOR AND  
CONGRESS OF INDUSTRIAL  
ORGANIZATIONS,

PLAINTIFFS,

v.

GREGORY GOLDSTEIN, in his official  
capacity as Acting Director of the Federal  
Mediation and Conciliation Service;  
FEDERAL MEDIATION AND  
CONCILIATION SERVICE; UNITED  
STATES OF AMERICA; UNITED STATES  
OFFICE OF MANAGEMENT AND  
BUDGET; and RUSSELL T. VOUGHT, in  
his official capacity as the Director of the  
Office of Management and Budget,

DEFENDANTS.

Case No.: 1:25-cv-03072-AS

**DECLARATION OF  
JAMIE GULLEY**

## **DECLARATION OF JAMIE GULLEY**

1. My name is Jamie Gulley. I am over 18 years old. The information in this declaration is based on my personal knowledge and experience.

2. I am the president of SEIU Healthcare Minnesota and Iowa. I have served in this position for 13 years and have been active in the union since 2002

3. SEIU Healthcare Minnesota and Iowa is an affiliate of the Service Employees International Union. Healthcare Minnesota and Iowa represents 60,000 healthcare workers in hospitals, clinics, nursing homes, and home care in Minnesota, Iowa, Wisconsin, North Dakota, South Dakota, and Nebraska.

4. In my 23 years at Healthcare Minnesota and Iowa, we have relied on the Federal Mediation and Conciliations Service (“FMCS”) to serve as a neutral third-party in every dispute that I am aware of where a work stoppage was a serious possibility. The vast majority were resolved without a work stoppage as the result of FMCS mediation.

5. In March 2025, four Healthcare Minnesota and Iowa units filed strike notices with FMCS. FMCS conducted mediation for three of those units and negotiations were resolved without a strike. The only unit that did not hold mediation through FMCS struck for two days.

6. Healthcare Minnesota and Iowa represents a unit of seventy-five employees at Providence Place, a senior living community in Minneapolis, MN. The workers’ contract expired on December 31, 2024 and they have spent three months negotiating a new agreement with their employer.

7. After the two-day strike, the employees returned to work on Thursday, March 27, 2025. The employees’ return to work was premised on impending mediation to be conducted before FMCS. The scheduled FMCS mediation was to be held pursuant to the employer’s request.

8. On March 14, 2025, President Donald Trump issued Executive Order 14238 (“Continuing the Reduction of Federal Bureaucracy”), which “eliminated” FMCS “to the maximum extent consistent with applicable law” and directed FMCS to “reduce the performance of their statutory functions and associated personal to the minimum presence and function required by law.”

9. On March 26, 2025, FMCS terminated most of its employees and services.

10. Healthcare Minnesota and Iowa’s members at Providence Place are no longer able to utilize mediation services from FMCS for their contract negotiations because of Executive Order 14238 and the resulting elimination of FMCS services. As a result of the Executive Order, seventy-five healthcare workers in a retirement community are left without a contract in place.

11. Without a contract in place, the risk of another work stoppage and disruption to the care of the patients at Providence Place is much higher.

12. In addition to its impact on the Providence Place unit, the elimination of FMCS has harmed six Healthcare Minnesota units who are negotiating first contracts.

13. Six Healthcare Minnesota units, representing about 300 workers, are negotiating first contracts, including thirty registered nurses and licensed practical nurses at North Shore Estates long term care and rehabilitation facility, forty emergency medical technicians at Children’s Minnesota Hospital, thirty registered nurses and licensed practical nurses at Duluth National Shore East, and fifteen physical, occupational, and speech therapists at Bayshore Nursing Facility.

14. All six units filed notices of demand to bargain with FMCS, as required by the National Labor Relations Act. All six units had scheduled bargaining sessions with FMCS.

15. Healthcare Minnesota's units rely on the availability FMCS's mediation services, as is standard practice for first contracts. As a result of Executive Order 14238 and the resulting termination of FMCS services, 300 healthcare workers across six Healthcare Minnesota and Iowa units are left without a contract.

16. At least two of Healthcare Minnesota and Iowa's six first contract units are likely to strike without FMCS assisted mediation. The North Shore Estates and Children's Minnesota units plan to strike if no agreement is reached by April 22, 2025. Further, if contracts cannot be reached for other Healthcare Minnesota and Iowa represented facilities, and FMCS is not available to mediate, those workers may be forced to strike. Due to Executive Order 14238 and the resulting termination of FMCS services, up to six Healthcare Minnesota units could be forced to strike rather than pursue contract negotiations through mediation.

I declare under penalty of perjury that, to the best of my knowledge, the foregoing is true and correct.

Executed 4/10/25

A handwritten signature in cursive script, appearing to read "J. Gulley", is written over a horizontal line.

Jamie Gulley